

## MRS. HARDINE'S WILL.

BY ABIGAIL SCOTT DUNNWAY,  
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"AMIE AND HENRY LEE," "THE HAPPY HOME,"  
"MRS. HARDINE'S WILL,"  
"PATTY, PATTY AND PATTY,"  
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## CHAPTER XXXV.

## MRS. HARDINE'S WILL.

"I see no need of unseemly haste in examining the will," said Mrs. Tirzah Hardine. "I never shall forget how mortified I was over the will of Father Hardine; and the quarrels that grew out of it are a humiliation to me to this day. What is your opinion about the matter, 'Liza'?"

"I have nothing to say," was the strangely apathetic answer. "Do with the whole business as seems best in your sight. I can only think of my mother now. Poor dear, departed darling! If I only could have been near her at the last! Oh, why is it that this world is so full of disappointments and sorrow?"

And for the first time the bereaved daughter found vent in tears.

"Yonder comes Israel Sappington!" exclaimed John Hardine. "He was one of the witnesses of the will, and we'll have it read in his presence."

"Oh, don't!" cried 'Liza, upstartling in an outburst of grief. "Let us think of something else to-day besides mercenary affairs."

John Hardine gazed at his sister with a look so strangely like that of his father whenever sinister motives had stirred him to action, that 'Liza was greatly agitated. That look meant mischief, and she knew it.

"I propose to have the will examined now, so we may know at once just what notion the crazy old woman had in her head," he said, with a significant grin.

"I've known for the past ten years that she wasn't right in her mind."

"For shame, John!" cried Sally Ridgeway. "How can you speak like this to our mother, and she hardly yet cold in her grave?"

"Shut your head!" was the ungracious answer. "What do you know about business, seeing you're only a woman?"

"Women know that disrespectful utterances in reference to one's mother are not to be tolerated by surviving sisters, even if the man who is so unprincipled as to utter them is that mother's ungrateful son and their own shameless brother!" exclaimed Mrs. Peter Tubbs, who had been suddenly aroused from her apathetic state by her brother's words, and now came forward and confronted him with flashing eyes and blazing cheeks, her whole form quivering with indignation, grief and excitement.

"There's method in the hussy's madness, Judge," said John Hardine, who still grinned significantly. "Never you mind 'Liza's tantrums. She always was a wildcat. When you're once read the will, you'll understand the motive that induces her vehement defense of a crazy old woman, who was bedridden and speechless at one time for years. Let her rave. It won't alter the facts in the case."

Israel Sappington was by this time in their midst, witnessing a tumult of half-mothered excitement that astonished him. Dave, the superannuated oracle, alone had the presence of mind to offer him a chair.

"Mrs. Hardine left a will, as you know, and I have thought it advisable, seeing all the family were now present, to have the will read at once, that it may be immediately admitted to probate," said John Hardine, addressing the visitor.

"Where is the will?" was the quiet response.

"There, to mother's private secretary," answered Tirzah, who had in late years been a warm friend of her mother-in-law.

But the key to a particular drawer was missing, and, after an hour's search, Judge Hardpan suggested breaking the lock, and John Hardine agreed to the proposal.

"It seems such sacrilege," said 'Liza, "for the surviving children to be so eager to enrich themselves at their dead parents' expense. Why couldn't we wait? Maybe we'd find the key. You all know that mother never could bear to see anything broken or wasted. It seems to me as though her silent protest was in the very air."

"Observe, Judge Hardpan," said her brother, with another significant grin, "that 'Liza is the only one of us who protests so much against this business. She has some sinister motive behind it all, I'll warrant. You'll understand it before the reading of the will is over."

"I objected to the indecent haste with which you pounced upon my father's will, as all of you who were present remember. You also recollect that my share in that great legacy was the old handloom that now forms the frame of a pig-sty in the back yard. I know there is a better fortune in store for me in my mother's will, for Judge Hardpan once told me so. But I feel awfully outraged over the haste we're in to get to quarreling over her hard-earned possessions. I know there will be quarrel-

ing, and I'd like to put the evil day off as long as possible."

"And how do you know there will be quarreling?" asked John Hardine, with a profusion of winks at his friend, the Judge.

"I know it because I know the disposition of John Hardine!" was the scornful reply.

The lock to the private drawer was broken, but no will was to be found.

"Thank God!" said 'Liza, devoutly. "Now we shall have no trouble among ourselves, for all can be divided equally among us, share and share alike."

"Not much it won't! Not if the court knows himself!" exclaimed Judge Hardpan, pulling out the drawer and fetching from behind it a huge buff envelope. "Here's Mrs. Hardine's will."

"Silence fell at once upon the awaiting and expectant heirs. The news of the will, with vague rumors of its contents, had been circulating among them for months.

"I hope poor 'Liza will get the lion's share this time, for she deserves it," said Tirzah, in a tearful whisper, as though speaking to herself.

"So does the devil deserve it!" ejaculated John Hardine.

Judge Hardpan made slow and bungling work of reading the will, and it was finally handed over, with apparent reluctance, to Israel Sappington.

Again, as in the reading of the senior Hardine's will, I will pass over the numerous technicalities and complex verbiage of the legal document, and content myself with interpreting for the reader's benefit the practical facts.

"I will and bequeath to my daughter, Sally Hardine Ridgeway, my Jersey cow Laura—"

"That cow's dead!" cried the beneficiary, in surprise.

"If she survives me—"

"The cow or the daughter?" asked John Hardine, with a grating laugh.

"The old woman's proved herself crazy already."

"But, should I survive her, the next direct issue of said cow shall be the said daughter's property."

"That never was her way of wording an idea," said 'Liza, impatiently.

"Whatever else my dear mother might have passed for, nobody who knew her would believe her an idiot!"

"To my son, John Hardine, I bequeath my spinning-wheel and my blessing. He will find the wheel in the loft of the old cabin, in a good state of preservation."

"A match for 'Liza's loom!" said Tirzah, laughing, in spite of herself.

John Hardine was livid with rage and indignation. He trembled violently, but did not attempt to speak.

Tirzah's laugh was contagious. Everybody caught it but John himself. 'Liza buried her face in her handkerchief and reproached herself for the mischief she could not restrain.

"May the wheel be of as much use to John as my daughter Eliza's loom has been to her," continued the will, "and may my son remember that with what measure he metes it shall be measured to him again."

"Strange wording for a will," said Judge Hardpan.

"I told you my mother was mad!" cried John Hardine.

"Mo' meelad dan madness dah, she!" exclaimed Dave, the oracle.

"I will and bequeath to my beloved daughter Eliza, who took sole care of me without fee or reward during the years of my paralytic helplessness, and who, of all my children, is the only one who never spoke to me unkindly, my homestead or Donation Land Claim of three hundred and twenty acres."

"What?" cried John Hardine.

"It is also my will that my daughter Eliza should reside upon and cultivate the same, using at all times her own discretion in its management. But, should she not wish to reside upon the land, then I wish her to place a member of the Hardine family—no matter how many generations removed, but always a relative (through her mother's branch)—as a tenant upon the same; such a person as will keep the place in good order, as a monument to the pioneer whose home it has been since the days when Oregon was a primeval wilderness."

"Didn't I tell you the old woman was crazy?" cried John. "Why, she was crazier than a moon-struck bed-bug! Whoever heard of such a will?"

"Mother Hardine was eccentric and peculiar, but she wasn't daft," quietly remarked Joe Ridgeway.

"No more daft in her will than in anything else," responded Tirzah Hardine. "Mother always was peculiar, but I don't know of anybody who had a better right to be. It was always a hobby of hers to keep her home in her family, and thus perpetuate her name."

"I'm sure 'Liza's welcome to the homestead if she wants it," said Sally Ridgeway. "The rest of have more land than we can cultivate, the Lord knows, and 'Liza hasn't any. For my part, I consider these provisions of mother's as being wise in the extreme. Peter Tubbs can never own 'Liza from this home, for the conditions of the will will protect her rights."

"D—n the will!" said John Hardine. "You interrupt the reader," mildly expostulated Judge Hardpan.

"I further bequeath to the said Eliza Hardine Tubbs the sum of ten thousand dollars in bank certificates, which she

will find attached to the margin of this document, and which are to be hers individually to have and to hold, without any restrictions whatsoever."

"More evidence of insanity!" growled John Hardine. "The old woman never made such a will as that of her own accord. You needn't tell me!" and he shook his head insinuatingly.

"Judge Hardpan, 'Liza can't give me nuthin'. She had a hand in making that will."

"But I swear I didn't!" cried 'Liza, hotly.

"Here's a letter that may possibly throw some light on the subject," said Judge Hardpan. "I've looked carefully among the papers, and I find no evidence to prove that any of her other children have taken the same pains as Mrs. Tubbs to influence their mother to undue partially in making her will."

"Let me see that letter, please," said Mrs. Tubbs.

"Let her," growled John Hardine, rubbing his hands in a sort of glee over his own pun.

"No, I prefer to read it myself. This is an important document."

"But this is not a legal court, Judge Hardpan. Give me my letter, I say. You're meddling with that which doesn't concern you."

Judge Hardpan winked at John Hardine.

"Read it aloud," said that worthy, who had suddenly changed his mind.

Judge Hardpan proceeded to read, amid the general silence of his auditors.

"It's easy enough to see now why it was that 'Liza got the old woman's property. She systematically bored for it," said John Hardine.

The insulted woman rose to her feet and confronted her defamer.

"Judge Hardpan, you are a designing villain, and you know it!" she exclaimed, while fairly quivering with excitement.

"I shall fine you, madam, for contempt of court!"

"But the court is not in session."

"I'd have you to know, you saucy jade, that this court is always in session, and always on object of contempt!"

"That latter remark is wholly unnecessary, sir," she replied, with ineffable scorn.

"I know it, mom," he answered, without perceiving the self-evident sarcasm.

"You, sir, came to me with the first intimation that I had concerning my mother's will. After I had fed you, I took my seat, and in the fullness of my heart I wrote that letter. It was written, I reiterate and affirm, after the will was made; and in it I expressed my honest and affectionate solicitude for my mother's health, and my earnest desire that she should deny herself nothing that would make her declining days comfortable. If that be undue influence, make the most of it."

"I shall, mom; I shall. You see, you'll find it hard to prove that this letter was not written before the will was made. It isn't dated."

"Then you'll find it equally hard to prove that it was written before the making of the will. It's a poor rule that won't work both ways," was the quick rejoinder.

The Judge was not a rapid thinker, and this unexpected ally silenced him for the nonce.

"Let us finish the reading of the will," said Israel Sappington.

"I will and bequeath to each of my other children, all and separately, an equal proportion of the undivided live stock of which I may die possessed; the division to be made by themselves through two such arbitrators as they shall mutually agree upon, these two to select a third for final adjudication in all selections where they shall fail to agree."

"Again I pause to remind the reader that I am eliminating from the original document the tedious verbiage that would, if admitted, mar the meaning of this otherwise faithful translation."

"And so all the rest are well remembered, and I'm cut off with the old spinning-wheel!" cried John Hardine.

"Liza, you know! You needn't preach to me! I know tarantula well that you had a hand in this business!"

"Did you have a hand in making my father's will, John? The will that bequeathed to me my mother's old loom and left you rich?"

"A plain admission that you've been inclining your mother to spite-work, mom," said Judge Hardpan.

"If I believed in physical argument, and this was not a house of mourning, I'd horse-whip both of you!" said 'Liza, her voice husky with smothered indignation. "And you claim that women are protected and supported by men, do you? A fig for such protection! I never had anything to do with law, lawyers or law-suits, but I am determined to fight for my rights in this case. And I'll win them, too—see if I don't!"

"And I intend to contest the will!" said John Hardine.

"By the terms of the will, I am to take possession at once," quietly answered Mrs. Peter Tubbs. "And to you, my brothers and sisters, who have not joined in this disgraceful attack upon my honor, I will say that I had no more to do with making our mother's will in my favor than you had. I would have scorned to ask her to do such a thing. Nevertheless, I believe the conditions were just. You well know that I buried my chances for success in life in the sick-

bed of our poor mother in the long gone years. Had it not been for that, I would not now be Mrs. Peter Tubbs. Who and what I am as Mrs. Tubbs, you all know. My mother knew also, and she was deeply grieved because our father cut me off without property when I needed it so much, and when I was certainly as deserving of it as John Hardine or Judge Hardpan, whose already large possessions were nearly doubled by his bequest. I scorned to sue for my rights, though I could have done it had I been willing to be represented by another whom the law makes my executor, but whom I know was not entitled to it any more than any other man, in a strict moral sense. I would not sue; but now, if I am sued, I shall contest the matter to the bitter end. I should wrong my mother's hallowed memory if I did not carry out her voluntary wishes. I knew her too well to believe for an instant that she was unduly influenced by anybody in dictating the terms of her will."

"But she was crazy!" cried John Hardine.

"Crazy only for an opportunity to do right," said Tirzah, firmly.

"Another bit of your slack, wife, and I'll shut your jaw with my knuckle!" was the quick conjugal reply.

Tirzah turned ashy pale and shrank back in the chimney corner, wounded to the quick.

"John Hardine, you're a demon!" exclaimed 'Liza, hotly. "Would to heaven that I had not been so wickedly unwise as to urge poor Tirzah to continue to share your lot for one minute after you proved yourself a perjured villain before you were twenty-four hours married!"

"Oh, no! you don't want any quarreling in the house of mourning! It's somebody else! What a lamb you are, to be sure!"

"I beg your pardon," she said, bursting into tears, and turning to each one of the excited throng. "I did not mean to lose my temper. John is at liberty to remove his spinning-wheel, Sally can have her cow, and the rest can choose their referees and divide their stock whenever they are ready. I shall send for my family and begin at once to carry out the conditions of my part of my mother's will."

"And I'll contest the whole business in the Probate Court!" exclaimed John Hardine, shaking his fist violently in his sister's face.

"Did I contest our father's will, John?"

"That was different. You're only a woman!"

She turned away from him in disgust, and went about her duties, silently weeping.

[To be continued.]

## The Kiss of Death.

In Titusville, Pa., a few days ago, Mrs. Joseph Smith died from the effects of kissing the dead body of her father ten days ago while attending his funeral in Pittsburgh. Her father died of erysipelas, and at the time mentioned she had a sore on her lips, through which her kisses were conveyed. Her little daughter, Ella, is not expected to live from kissing her mother. —Exchange.

The kissing of dead bodies is a relic of barbarism, as clearly so as any and all other modes of treating dead bodies as objects of devotion to them. Nature, by inaugurating immediate dissolution and rendering contact poisonous, is peremptory in her mandate that we no longer respect the dead body as the abode of the living person. Yet this worship of the dead lives every where, and everywhere carries its punishment with it. In New Orleans, the dead are buried in ovens above ground because the superstition of the people leads them to think it sacrilege to bury the dead in moist ground, as a grave that fills with water. Hence, every atom of the bodies returns as effluvia into the atmosphere, sooner or later, and doubtless aids in generating the pest of the Orleans Valley. Her little daughter, Arabia, millions of pilgrims gather annually to adore the dead relics of Mahomet, and, being inadequately provided for, on their journey, and while stopping at the tomb of the prophet, they of the spirit die of cholera.

Over the world as a punishment for superstition. Perhaps behind these punishments nature may have some important scientific revelation to make to us. I know tarantula well that you had a hand in this business!"

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## FREE SCHOOLS.

BY C. W. COOK.

A recent number of the *Advance* published an important article entitled "Parochial Schools." After observing the promptness with which the Catholics are establishing and supporting these, the writer says:

The time is not far distant when a large proportion, if not the majority, of Roman Catholic children will be furnished with the means of education in the parochial schools. Then will arise a demand either for emancipation from the requirement of taxation for the support of public schools or for a division, and allotment of their share of the fund thus produced. This demand will be successful in spite of opposition, for it will be founded on the eternal principle of justice.

For one, I confess that I was not prepared to see such ground taken by so Protestant a sheet as the *Advance*. (It is held by many that Catholicism desires the destruction of our common school system; that she teaches that "ignorance is the mother of devotion;" that she desires the masses to be ignorant; hence she opposes the public school system, because it disseminates too much knowledge. Is it possible that Protestantism is going to occupy this same ground? Has she not sufficient inherent truth in her creeds and dogmas to bear the light of trained intellect and awakened reason? I had supposed that Protestantism favors intellectual light and liberty; that she is so confident of her strength as to favor and ask the most scrutinizing search and study of her tenets as compared with the revelations of science in the fields of nature; and that to abridge the rights, privileges and opportunities of a child for developing the germs of its being, she would consider the height of injustice.

But listen to the *Advance*:

To compel a man who is spending his money for the education of his children in the manner which he believes to be for the highest good—to compel such a man to submit to burdensome taxation for the maintenance of a system of education which he believes to be erroneous and dangerous, is the height of injustice.

There, now! Close the doors of our public schools! Divert their funds to sectarian purposes, and above all, don't you dare to make education compulsory! Because, "To compel a man who believes that child-labor, or lounging about the streets, saloons and slums of cities, conduces to the 'highest good,' to compel those who believe that ignorance is the highest good;" "to compel such to submit to burdensome taxation for the maintenance of a system" of free schools, "is the height of injustice."

But we will pay, without a murmur, the expenses of jails, poor-houses, penitentiaries and criminal prosecutions which this class engenders. We will willingly pay the billions which our late civil war cost—a war which a system of free schools in the South would have made impossible, just to show our love of justice for the parochial system which did exist there; nor will we drop one tear over the half-million graves of the war, all because those people believed secession was for the highest good!

Is it not perfectly evident that the belief of this man or that man does not at all affect this question? The facts are that in a government like ours—a "government of the people, by the people, and for the people"—it is absolutely necessary that the people themselves be enlightened; and it is eminently just that such enlightenment shall be provided for by a system of taxation which imposes relatively equal burdens of taxation upon all, since all alike derive the benefits of our free institutions, and since these institutions themselves are upheld and perpetuated by the enlightenment of the masses more than any other one thing. It is equally just that a vigilant eye be kept upon these funds, to the end that they be applied to the purposes for which they were raised, and not diverted to mere sectarian propaganda—in short, to parochial schools. This whole outcry in favor of parochial schools is a deadly thrust at our free school system. It comes from the enemies of republicanism, the enemies of free thought, the enemies of free speech, the enemies of free religion, the enemies of free government, the enemies of freedom.

But says the *Advance* again:

It is useless to assert that intellectual training will make men more moral, or that it will add to the security of the State. History teaches to the contrary.

This in face of the fact—fresh in every man's memory—that want of intellectual training among the masses in the Southern States was what rendered possible the late disastrous attempt to overthrow this Government. When, in all the history of the world, did intellectual training of the masses overthrow a government? But how often—alas! how often—has their sectarian training overthrown governments, even from the barbarities which the Jews inflicted upon the innocent Canaanites down to the horrors between Christian and Mohammedan in the late Russo-Turkish war.

Then, too, our free schools train the moral as well as the intellectual nature; for it is conceded on all hands that those great moral truths which are universally accepted should be inculcated. This can be done aside from any aim. That it is done, is evidenced from the fact that an exceedingly small per cent of our criminals come from the public schools, while a very large per cent of them do come, if not from the parochial schools, from those who are thoroughly imbued with

theisms which it is proposed to inculcate therein.

But we get the gist of the article in the *Advance* in the following:

The Roman Catholic Church is right in its theory of churchly education for the young. If the clergy are to influence the community otherwise than by their lives and their official ministrations; if they are to retain their hold upon the masses, they must fashion the minds of the rising generation.

Cardinal McCloskey or the Pope himself would scarcely have written differently from that. It is a bold, bad assertion. So, then, justice requires that the rising generation be given over into the hands of the clergy, does it? This would soon give the Government all the sad consequences which history tells for our warning. Does the *Advance* desire this? Will the *Advance* allow me to tell it, and the clergy generally, that if the free school system be maintained and continually improved in the future as it has been in the past, cultured intellects, pure lives, and the plain simple truth will alone enable the clergy "to retain their hold upon the masses." Is it because they lack these things that they claim the training of our children? Truth needs no such "dark ways" to render it gladly acceptable to the untrammelled mind. No, gentlemen, the youth of America are not to be handed over to your tender mercies. Their minds are to be strengthened by culture and left free to search for and accept truth "wherever found, on Christian or on heathen ground."

As an endeavor to sugar-coat this nauseous compound in the *Advance*, the writer says:

Our public school system should never be wholly abandoned. But it has far outgrown its legitimate sphere. But it has far outgrown its legitimate sphere.

Ye gods! then save us from the legitimate sphere of parochial schools supported by a public fund!

Says the *Advance* again:

The time has come when our Protestant churches must resume the responsibilities which they have resigned. By the side of every church should stand the parochial school-house. Then the unjust system of school taxation which now disgraces our civilization would soon become a thing of the past.

Notwithstanding the above appears in a leading paper of one of the most liberal branches of the Protestant Church, I cannot believe it will be endorsed by a majority of Protestants. It savors too strongly of the Catholic plan, which, indeed, the writer of it pronounces wiser than the Protestant.

Take away the support of our free schools, and you destroy the schools themselves. Destroy the free schools, and you destroy the Government, of which they are the chief bulwark. I cannot yet bring myself to believe that a majority of Protestants will lend their aid and influence to do this thing.

Will not a wise love of truth, of humanity, of all inspiration, induce us to perpetuate our free institutions, give physical, mental and spiritual culture to our youth, and leave them untrammelled by this or that dogma of sectarianism, and free to reverently and lovingly explore every department of God's great temple, and wisely employ what they shall obtain therein to the upbuilding of a divine humanity on earth?

One of the passengers on the ill-fated Narragansett, that went down in the collision on Long Island Sound a few nights ago, said to the men who were trying to save the unhappy people:

"Never mind me; I'm an old woman. Save the young." That lady's name should go down to